



## FEDERAL EMERGENCY MANAGEMENT AGENCY

Office of Equal Rights  
500 C Street, S.W., Room 407  
Washington, D.C. 20472

# YOUR RIGHT TO EQUAL OPPORTUNITY

**Policy:** It is the policy of the Federal Emergency Management Agency (FEMA) to provide equal opportunity for all employees and applicants in every aspect of their employment and working conditions. FEMA supports the concept of affirmative employment to ensure that personnel policies and practices provide equal employment opportunity without regard to race, color, religion, national origin, sex, age, disability, or retaliation/reprisal.

Complaints of discrimination may be filed by any FEMA employee or applicant for employment with FEMA who believes he/she has been discriminated against on the basis of one or more of the eight prohibited factors.

- Race
- Color
- National Origin
- Sex (Sexual Harassment)
- Age (40 and up)
- Disability
- Religion
- Retaliation/Reprisal

### PRECOMPLAINT PROCESS:

1. **INITIAL CONTACT:** Employee or applicant for employment must contact the FEMA Office of Equal Rights within 45 calendar days of the alleged discriminatory incident for assignment of an EEO Counselor.

2. **COUNSELING:** The EEO Counselor will attempt to resolve the matter informally within 30 calendar days from the date of initial contact. Counseling may be extended up to 60 days if both parties agree. If the matter cannot be resolved, employees or applicants may file a formal complaint.

### FORMAL COMPLAINT PROCESS:

3. **FILING:** Employee or applicant for employment may file a written formal complaint with the Director, Office of Equal Rights within 15 calendar days after the final counseling interview.

4. **ACCEPTANCE/DISMISSAL:** If the complaint is accepted, an investigator collects all relevant information pertaining to the complaint. If the complaint is dismissed, in part or whole, the complainant is provided, in writing, of the reason(s) for dismissal and informed of the right to appeal the decision.

5. **INVESTIGATION:** The agency shall develop a complete and factual record upon which to make findings on the matters raised by the written complaint. The investigation must be completed and the file provided to complainant within 180 days from filing the complaint.

6. **HEARINGS:** Within 30 days of receipt of the investigative file the complainant has the right to request a hearing or request an immediate final decision from the Agency. Hearings are conducted by an Administrative Judge (AJ) appointed by the Equal Employment Opportunity Commission (EEOC). At the discretion of EEOC, a mediation session may be attempted to resolve the matter prior to a

hearing. The AJ must issue a written determination on the findings and conclusions within 180 days of a request for a hearing.

7. **FINAL DECISION:** A final agency decision is issued by the Director, FEMA within 60 days of receiving the request for a decision, or within 60 days of receiving the findings of an AJ.

8. **RIGHT TO APPEAL TO EEOC:** The complainant, if dissatisfied with the agency's final decision, may appeal to EEOC within 30 days of receipt of the decision.

9. **CIVIL ACTION IN U.S. DISTRICT COURT:** Complainant may file a civil action in an appropriate U.S. District Court: in one of the following ways: (1) within 90 days of receipt of a final agency decision; (2) after 180 days from the date of filing an individual or class complaint (if an appeal has not been filed or a final decision has not been issued); (3) within 90 days of receipt of the EEOC's final decision on an appeal; or, (4) after 180 days from the date of filing an appeal with the EEOC if there has been no final decision by the EEOC.

10. **CLASS COMPLAINTS:** Information on class complaints may be obtained from the Office of Equal Rights.

11. **INFORMATION:** To file a complaint or obtain information pertaining to the EEO complaints process contact:

FEMA  
Pauline C. Campbell, Director  
Office of Equal Rights  
500 C Street, S.W., Room 407  
Washington, D.C. 20472  
(202) 646-3535.

